

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

SHYANDREA AND MARY HESTER, )  
et al., )

Plaintiffs, )

v. )

LOWNDES COUNTY COMMISSION, )  
et al., )

Defendants. )

CIVIL ACTION NO. 2:06cv572-WHA

**ORDER ON MOTION**

Upon consideration of the Plaintiffs' Objection to Service of Subpoenas on Non-Parties and Motion to Quash (Doc. #37), filed on May 21, 2007, and for good cause, it is

ORDERED that the motion is DENIED as moot. The court is reluctant to become involved in the resolution of discovery disputes. Because this court - like all federal courts - considers many pressing substantive matters on a daily basis, it is imperative that counsel exercise due diligence (1) to make only reasonable and necessary discovery requests; (2) to avoid discovery disputes, especially those that are foreseeable; (3) to communicate promptly and directly with each other when differences surface; and (4) to cooperate as Officers of the Court with each other and with the court in the resolution of discovery disputes.

This court makes no ruling on the timeliness of the discovery.

DONE this 22nd day of May, 2007.

/s/ Wallace Capel, Jr.  
WALLACE CAPEL, JR.  
UNITED STATES MAGISTRATE JUDGE